

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DAVID ROBERTS,)	Case No.: 1:20-cv-00592-SAB (PC)
)	
Plaintiff,)	
)	ORDER FOR PLAINTIFF TO SHOW CAUSE
v.)	WHY ACTION SHOULD NOT BE DISMISSED
)	FOR FAILURE TO COMPLY WITH A COURT
STEPHEN HENDERSON, <i>et al.</i> ,)	ORDER, FAILURE TO STATE A COGNIZABLE
)	CLAIM, AND FAILURE TO PROSECUTE
Defendants.)	
)	[ECF No. 25]
)	
)	
)	

Plaintiff David Roberts is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On June 17, 2020, the Court screened Plaintiff's first complaint, found no cognizable claims, and granted Plaintiff thirty days to file an amended complaint. (ECF No. 15.)

Plaintiff filed a first amended complaint on June 5, 2020. (ECF No. 14.) On June 17, 2020, 2020, the Court screened Plaintiff's first amended complaint and granted Plaintiff leave to file a second amended complaint. (ECF No. 15.)

Plaintiff failed to file a second amended complaint. Therefore, on July 27, 2020, the Court issued an order to show cause why the action should not be dismissed for failure to state a cognizable claim for relief, failure to prosecute, and failure to comply with a court order. (ECF No. 17.) After Plaintiff failed to respond to the order to show cause, the Court issued Findings and Recommendations

1 to dismiss the action on August 11, 2020. (ECF No. 18.) Plaintiff filed objections to the Findings and
2 Recommendations. (ECF Nos. 23, 24.) Therefore, on September 22, 2020, the Court vacated the
3 Findings and Recommendations and granted Plaintiff thirty days to file an amended complaint. (ECF
4 No. 25.) Plaintiff has failed to comply with the Court's order and has not filed an amended complaint.

5 Accordingly, within **fourteen (14)** days from the date of service of this order, Plaintiff shall
6 show cause in writing why the action should not be dismissed. (Id.) Plaintiff is warned that failure to
7 comply with this order will result in a recommendation to a District Judge that the instant action be
8 dismissed, with prejudice, for failure to prosecute, failure to obey a court order, and failure to state a
9 cognizable claim for relief.

10
11 IT IS SO ORDERED.

12 Dated: **November 2, 2020**

A handwritten signature in blue ink, appearing to read "Eugene A. Bae", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE